

RECEIVED
CENTRAL FAX CENTER
JUL 11 2006

MARTIN & FERRARO, LLP
1557 Lake O'Pines Street, NE
Hartville, Ohio 44632

Telephone
(330) 877-0700

Facsimile
(330) 877-2030

FACSIMILE TRANSMITTAL

TO:

Name: Group Art Unit 3738

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/631,309
Gary K. Michelson

Filed: July 31, 2003

METHOD FOR THE DELIVERY OF ELECTRICAL
CURRENT TO PROMOTE BONE GROWTH
BETWEEN ADJACENT BONE MASSES

Attorney Docket No. 101.0037-02000

Customer No. 22882

Confirmation No.: 1889

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 4

Date: July 11, 2006

Confirmation Copy to Follow: NO

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Information Disclosure Statement Under 37 C.F.R. § 1.97(b) and Form PTO-1449 are being facsimile transmitted to the U.S. Patent and Trademark Office on July 11, 2006.


Sandra L. Blackmon

If there is a problem with this transmission please call Sandy Blackmon at 330-877-1202 or the sender at the number above.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.

PATENT
Attorney Docket No. 101.0037-02000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 1889
Gary Karlin Michelson)	
Serial No.: 10/631,309)	Group Art Unit: 3764
Filed: July 31, 2003)	
For: METHOD FOR THE DELIVERY)	
OF ELECTRICAL CURRENT TO)	
PROMOTE BONE GROWTH)	
BETWEEN ADJACENT BONE)	
MASSSES)	

RECEIVED
CENTRAL FAX CENTER
JUL 11 2006

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: July 11, 2006

By: Thomas H. Martin
Thomas H. Martin
Registration No. 34,383

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

OMB 0651-0031

OMB 0651-0031

Substitute for FORM PTO-1449		Attorney Docket Number 101.0037-02000		Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant Gary Karlin Michelson		Application Number 10/631,309	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>		Filing Date July 31, 2003		Group Art Unit 3764	Examiner N/A
U.S. PATENT DOCUMENTS					
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	FILING DATE IF APPROPRIATE
/M.B./	5,571,189	11/1996	Kuslich		
FOREIGN PATENT DOCUMENTS					
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	TRANSLATION (YES/NO)
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)					
EXAMINER	/Michael Brown/	DATE CONSIDERED 09/28/2008			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.					